

Select Board Meeting Minutes

Town Hall - Select Board's Conference Room

Monday, March 28, 2022 @ 6:00 p.m.

All meetings of the Select Board are recorded

Location: Town Hall Auditorium

All meetings of the Select Board are recorded except Executive Session

Date of this meeting: March 28, 2022

Meeting Notice: This meeting held Pursuant to Chapter 20, Acts of 2021

Notice: Hybrid meeting with limited technology until new equipment comes in the future. In the event of any technical difficulties, we will ensure a recorded tape of the proceedings is placed upon the Town Web page after the meeting.

The Public Body convened in Open Session according to M.G.L. c.30A, S21 (b) (1). The scheduled meeting of the Select Board was called to order by Chairman Joe Deedy at 6:00 p.m.

ATTENDANCE: Chairman, Joseph J. Deedy – Present
Vice-Chairman, Russell S. Fox -Present
Clerk, Doug Moglin - Present
Chief Administrative Officer, Karl J. Stinehart – Remote
Administrative Assistant, Robin A. Solek – Present

Chairman roll call attendance of Board Members present for meeting.

****MOMENT OF SILENCE FOR EARL MURPHY**** ***Sewer Implementation Committee***

Public Comments: C. Marshall, 45 Coes Hill Road: Comment regarding Blue Rhino

Zoom: D. Herath, Miller Road waiting for 6:20 Appointment regarding 141 College Highway.

D. Grannells, Berkshire Avenue waiting for 6:20 Appointment regarding 141 College Highway.

Payables, Payroll and Minutes:

- Acknowledge Payables Warrant #2221B, dated 3/21/22, in the amount of \$265,304.73
- **A MOTION** was made by Mr. Fox, seconded by Mr. Moglin (Vote-Unanimous) to approve the Open Session Minutes dated 03/21/22.
Roll Call Vote: J. Deedy: Yes, R. Fox: Yes, D. Moglin: Yes.
- **A MOTION** was made by Mr. Fox, seconded by Mr. Moglin (Vote-Unanimous) to approve the Executive Session Minutes dated 03/21/22.
Roll Call Vote: J. Deedy: Yes, R. Fox: Yes, D. Moglin: Yes.
- **A MOTION** was made by Mr. Fox, seconded by Mr. Moglin (Vote-Unanimous) to approve the Budget Work Session Minutes dated 03/05/22.
Roll Call Vote: J. Deedy: Yes, R. Fox: Yes, D. Moglin: Yes.

6:05 p.m. Appointments for Town Boards/Committees:

Mr. Moglin led the discussion on the developments for the Appointments and Re-appointments. Each candidate was given the opportunity to explain their interest in the appointment they selected to serve. Chairman of Cable Advisory Committee Mr. Connolly supported action.

- **A MOTION** was made by Mr. Fox, seconded by Mr. Moglin (Vote-Unanimous) to appoint Thomas Bengston to the Adhoc Cable TV.

Roll Call Vote: J. Deedy: Yes, R. Fox: Yes, D. Moglin: Yes.

There were several individuals interested in serving on the High Speed Internet Committee in person and zoom. Each one gave a briefing on their qualifications

- **A MOTION** was made by Mr. Fox, seconded by Mr. Moglin (Vote-Unanimous) to appoint Bob Boyd, David LaBombard, Ian Creswell, Jess Bishop and Jason Giguere to the High Speed Internet Committee. Mr. Moglin as Chairperson HSIC supported the appointments until 6/30/22

Roll Call Vote: J. Deedy: Yes, R. Fox: Yes, D. Moglin: Yes.

Linda McQuade introduced herself with interest in serving the remainder of the vacancy (term 2023) of Erik Davidson for the Southwick Historical Society.

- **A MOTION** was made by Mr. Fox, seconded by Mr. Moglin (Vote-Unanimous) to appoint Linda McQuade to the Southwick Historical Society.

Roll Call Vote: J. Deedy: Yes, R. Fox: Yes, D. Moglin: Yes.

The Select Board will continue the AgCom Appointments at the April 4th, 2022 Select Board Meeting.

6:20 p.m. Kenneth Eggleston update on 141 Congamond Road Parking:

Mr. Eggleston met with the Select Board to seek advice regarding granting an easement for additional parking at 141 Congamond Road. Mr. Moglin explained the Select Board does not have the authority to grant an easement. Town Meeting authorizes that. It was advised Mr. Eggleston return to the Planning Board and Leveque Associates to find resolution. Mr. Stinehart will send documentation to Attorney Beglane to review for steps and timeframe for both an easement and license options.

Meeting Discussion Items, Action Items, Bills, Mail, Correspondence, Vendor and/or Personnel Contracts, Personnel Decisions, Policy Adoptions, Payroll Actions, Old Business, New Business, Etc.-Possible Motions/Votes:

- **A MOTION** was made by Mr. Fox seconded by Mr. Moglin (Vote-Unanimous) to authorize DPW grant application to Mass DOT Small Bridge Program (Tuttle Brook Crossing)

Roll Call Vote: J. Deedy: Yes, R. Fox: Yes, D. Moglin: Yes.

- An invitation to STGSD BEA Recognition Ceremony @ SHS on 4/13/22 @ 6:00pm
- **A MOTION** was made by Mr. Fox seconded by Mr. Moglin (Vote-Unanimous) to approve 3 CDBG Grant Discharge of Liens for 29 Fred Jackson Road Project Housing Rehab.

Roll Call Vote: J. Deedy: Yes, R. Fox: Yes, D. Moglin: Yes.

- **A MOTION** was made by Mr. Fox seconded by Mr. Moglin (Vote - Unanimous) to approve Invoice #21 in the amount of \$107.02 for FY 19 CDBG/PVPC Grant.
Roll Call Vote: J. Deedy: Yes, R. Fox: Yes, D. Moglin: Yes.
- **A MOTION** was made by Mr. Fox seconded by Mr. Moglin (Vote-Abstain 2 R.F. D.M.) to approve minimum wage adjustment for Election Workers and Warden/ Assistant Warden Position. Poll workers \$14.25 per hour, Assistant Warden \$17.25 per hour and Warden \$17.75 per hour. Request from TCC Office on Election Worker wage adjustments. Board members have relatives that work the poles.
- **A MOTION** was made by Mr. Fox seconded by Mr. Moglin (Vote – Unanimous) to Invoke the Rule of Necessity on the matter.
Roll Call Vote: J. Deedy: Yes, R. Fox: Yes, D. Moglin: Yes.
- **A MOTION** was made by Mr. Fox seconded by Mr. Moglin (Vote-Unanimous) to approve Letter of Understanding for Senior Center / Recreation Services Director C. Sullivan.
Roll Call Vote: J. Deedy: Yes, R. Fox: Yes, D. Moglin: Yes.
- **A MOTION** was made by Mr. Fox seconded by Mr. Moglin (Vote-Unanimous) to approve Annual Town Election Warrants for 5/10/22 Town Election @ Town Hall Senior Center.
Roll Call Vote: J. Deedy: Yes, R. Fox: Yes, D. Moglin: Yes.
- **A MOTION** was made by Mr. Fox seconded by Mr. Moglin (Vote-Unanimous) to approve revised Peddling and Soliciting bylaw Article under Ch. 63 Town Code for ATM Action.
Roll Call Vote: J. Deedy: Yes, R. Fox: Yes, D. Moglin: Yes.
- **A MOTION** was made by Mr. Fox seconded by Mr. Moglin (Vote-Unanimous) to rescind (3) One Day LL for Edgewood Golf Course March 29-31.
Roll Call Vote: J. Deedy: Yes, R. Fox: Yes, D. Moglin: Yes.
- **A MOTION** was made by Mr. Fox seconded by Mr. Moglin (Vote-Unanimous) to approve Nomination of Lizanne M. Bennett as Inspector of Animals.
Roll Call Vote: J. Deedy: Yes, R. Fox: Yes, D. Moglin: Yes.
- ***Land interest at 356 College Highway for Cemetery expansion. The Sexton and Commissioners will look into acquiring this property.***
- **A MOTION** was made by Mr. Fox seconded by Mr. Moglin (Vote-Unanimous) to approve Contract for Hampshire and Hampden Canal Historical Documentation project for \$15,000.00 with PVPC
Roll Call Vote: J. Deedy: Yes, R. Fox: Yes, D. Moglin: Yes.
- **Chairman Deedy made an announcement of pictures needed for the Annual Town Report, please submit to rsolek@southwickma.net**

New Business:

- FY 23 Budget Work Session Dates 4/6/22 Select Board only & 4/12/22 with Finance Committee

Old Business:

- North Pond violations site waiting for Fish & Game Agreement.
- Town Hall Roof Design (Roof design and bidding underway) additional funds for Design Changes
- Sewer System IMA with City of Westfield update – CAO & Chairman met with Mayor
- Board and Committee procedure to notify and appoint members
- CPC Funding Application status for Town Hall Roof

- STM & ATM Warrant Articles due April 1st
- Deputy Fire Chief Recruitment Process
- Job Description for Assistant to CAO position will be re-visited
- Cable TV Contract renewal and ascertainment process
- Mr. Fox chaperoned Historical Society program at Town Hall on 3/27/2022. It was a great success.

MOTION to go into Executive Session Pursuant to M.G.L. Chap. c. 30A, S21 (2) & (3) Ch. 214, Section 1B and; CMR 20.03 (1) B. at 7:03 p.m.

Roll Call Vote: J. Deedy: Yes, R. Fox: Yes, D. Moglin: Yes

RE: Labor Counsel Litigation and Threatened Litigation and strategy for Collective Bargaining with Local IAFF 4919 and all Non-Union Department Heads

Executive Session RE: M.G.L. Chap. c. 30A, S21 (2) & (3) Ch. 214, Section 1B and; CMR 29.03 (1)(b).

Exception #2:

Move to go into Executive Session to conduct collective bargaining sessions, with nonunion personnel and to:

not to reconvene in Open Session

(Chair Must Declare).

Move to go into Executive Session to conduct contract negotiations with nonunion personnel, and to:

not to reconvene in Open Session

(Chair Must Declare).

declare that an open meeting may have a detrimental effect on the bargaining position of the body, and to

not to reconvene in Open Session

(Chair Must Declare).

Exception #3: Move to go into Executive Session to discuss strategy with respect to collective bargaining and that the Chair Move to go into Executive Session to conduct strategy sessions in preparation for negotiations with nonunion personnel, and to

Not to reconvene Open Session

(Chair Must Declare).

Move to go into Executive Session to discuss strategy with respect to litigation, and that the Chair declare that an open meeting may have a detrimental effect on the litigating position of the body, and to:

not to reconvene in Open Session

(Chair Must Declare).

RE: Ch. 214, Section 1B

A person shall have a right against unreasonable, substantial or serious interference with their privacy. The superior court shall have jurisdiction in equity to enforce such right and in connection therewith to award damages.

Respectfully submitted,

Robin Solek
Administrative Assistant